

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NATIONWIDE LIFE INSURANCE COMPANY,  
a foreign corporation,

Plaintiff/Counter-Defendant,

vs.

Case No. 11-cv-12422-AC-MKM  
Hon. Avern Cohn

WILLIAM KEENE, JENNIFER KEENE,  
MONICA LYNNE LUPILOFF, NICOLE RENEE  
LUPILOFF and NICOLE RENEE LUPILOFF,  
PERSONAL REPRESENTATIVE OF THE ESTATE  
OF GARY LUPILOFF, DECEASED,

Defendants,

and

MONICA LYNNE LUPILOFF, NICOLE RENEE  
LUPILOFF and NICOLE RENEE LUPILOFF,  
PERSONAL REPRESENTATIVE OF THE ESTATE  
OF GARY LUPILOFF, DECEASED,

Defendants/Counter-Plaintiffs and Cross-Plaintiffs,

vs.

WILLIAM KEENE, JENNIFER KEENE,  
Individually, jointly and severally,  
Defendants/Cross-Defendants.

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and Nicole Lupiloff, Per Rep of the Estate of  
Gary Lupiloff, Deceased  
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Lupiloff and Nicole Lupiloff, Per Rep of the  
Estate of Gary Lupiloff, Deceased  
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**STIPULATION TO DISMISS WRONGFUL DEATH CLAIMS BY DEFENDANTS/  
CROSS-PLAINTIFFS, MONICA LYNN LUPILOFF, NICOLE RENEE LUPILOFF  
AND NICOLE RENEE LUPILOFF, PERSONAL REPRESENTATIVE OF THE  
ESTATE OF GARY LUPILOFF, DECEASED**

IT IS HEREBY STIPULATED by and between the attorneys for the respective parties that the wrongful death claims made in the cross-complaints filed by the defendants/cross-plaintiffs, Monica Lynn Lupiloff, Nicole Renee Lupiloff and Nicole Renee Lupiloff, Personal Representative of the Estate of Gary Lupiloff, Deceased, specifically Count II of these crossclaims, are dismissed without prejudice and without costs.

/s/Jeffrey A. Danzig  
Jeffrey A. Danzig P36571  
Co-Counsel for Monica Lupiloff,  
Nicole Lupiloff and Nicole Lupiloff,  
Per Rep of the Estate of Gary Lupiloff, Deceased

/s/Michael F. Schmidt  
Michael F. Schmidt P25213  
Attorney for Nationwide

/s/John H. Bredell  
John H. Bredell P36577  
Attorney for Keenes

**ORDER DISMISSING WRONGFUL DEATH CROSSCLAIMS BY DEFENDANTS/  
CROSS-PLAINTIFFS, MONICA LYNN LUPILOFF, NICOLE RENEE LUPILOFF  
AND NICOLE RENEE LUPILOFF, PERSONAL REPRESENTATIVE OF THE  
ESTATE OF GARY LUPILOFF, DECEASED**

At a session of said Court held in the Courthouse, City of Detroit,  
County of Wayne, State of Michigan on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2011.

PRESENT: HONORABLE AVERN COHN  
U. S. District Judge

In accordance with the above Stipulation,

IT IS HEREBY ORDERED that the crossclaims by the defendants/cross-plaintiffs,

Monica Lynn Lupiloff, Nicole Renee Lupiloff and Nicole Renee Lupiloff, Personal Representative of the Estate of Gary Lupiloff, Deceased, for wrongful death, specifically Count II of these crossclaims, are dismissed without prejudice and without costs.

Dated: September 20, 2011

s/Avern Cohn  
U. S. District Judge